



WESTFIELD-WASHINGTON
ADVISORY PLAN COMMISSION

August 4, 2014
1407-ZC-02
Exhibit 1

Petition Number: 1407-ZC-02

Subject Site Address: 3334 East 146th Street

Petitioner: L & Q Realty, LLC

Representative: Faegre Baker Daniels LLP

Request: Petitioner requests modifications to the zoning commitments associated with Ordinance 06-49.

Current Zoning: Bridgewater PUD (Ordinance 06-49)

Approximate Acreage: 1.17 acres +/-

Exhibits:

1. Staff Report
2. Aerial Location Map
3. Bridgewater PUD Zoning Commitments (associated with Ord. 06-49)
4. Proposed Commitment Modifications
5. Perspective Renderings
6. Public Comment

Zoning History: Ordinance 06-49 (with commitments) – Bridgewater PUD Ordinance
1211-SPP-06 – Bridgewater Center at 146th Street Primary Plat
1211-SFP-08 – Bridgewater Center at 146th Street Secondary Plat
1403-DP-05 & 1403-SIT-03 – Ricker’s Development Plan & Site Plan

Staff Reviewer: Kevin M. Todd, AICP

PROCEDURAL

At the August 4, 2014 meeting, the Advisory Plan Commission (the “APC”) may forward a recommendation on this item to the City Council.



PETITION HISTORY

- This petition was introduced at the June 9, 2014 City Council meeting.
- The petitioner held a neighborhood meeting on June 25, 2014.
- A public hearing was held at the July 21, 2014 Advisory Plan Commission (the “APC”) meeting.

PROJECT OVERVIEW

When the subject area of the Bridgewater PUD was zoned in 2006, zoning commitments were made in addition to the terms of the PUD Ordinance. A sub-section of the zoning commitments established specific requirements for an automobile service station use. The Petitioner is requesting to amend two (2) of the zoning commitments that apply to an automobile service station use.

Fuel Canopy

Current Commitment (Section 4.E.3): All gas pumps shall be located away from perimeter or external streets, as illustrated by the Drawing.

Proposed Commitment Modification: All gas pumps shall be located and covered with a canopy as depicted on the attached Site Plan.

On March 18, 2014, the Advisory Plan Commission approved a development plan and site plan (1403-DP-05 & 1403-SIT-03) for a new Ricker’s gas station and convenience store on the subject property. The plan depicted a fuel canopy that was located on the east side of the convenience store building (interpreted to be “away from” Carey Road) and setback thirty (30) feet from the south façade of the convenience store building (interpreted to be “away from” 146th Street). As a result of setting the canopy back thirty (30) feet from the south façade of the building, the approved development plan does not include a canopy over the southern-most fuel pump.

The petitioner is requesting to modify the commitment which requires gas pumps to be located away from perimeter or external streets by referencing a site plan which shows a canopy over all pumps.

Hours of Operation

Current Commitment (Section 4.E.5): Said automobile service stations shall be open and operating only between the hours of 6:00 A.M. and twelve midnight.



Proposed Commitment Modification: Said automobile service stations shall be open and operating only between the hours of 5:00 A.M. and twelve midnight.

As a part of the commitments that were made in 2006, the hours of operation for an automobile service station were established to be between 6:00 A.M. and 12:00 A.M. The petitioner is requesting to modify that commitment, to extend the hours to be between 5:00 A.M. and 12:00 A.M. The petitioner has stated that the additional hour in the morning is important to their business model.

MODIFICATIONS SINCE THE PUBLIC HEARING

The proposal has not been modified since the public hearing on July 21, 2014, however, the following has occurred:

1. New renderings have been provided by the petitioner – see Pages 7-9 of Exhibit 5. One vantage point is looking east from the intersection of 146th Street and Carey Road (Pages 7-8). The other vantage point is looking east from the middle of 146th Street, immediately south of the Ricker's building.
2. New written public comment has been received – see Pages 15-24 of Exhibit 6.

STAFF COMMENTS

- If the APC is satisfied with the proposal as presented, then forward a favorable recommendation to the City Council.
- If the APC is not satisfied with the proposal as presented, then forward an unfavorable recommendation to the City Council.